IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:
Edward M. WILLHIDE et al.	: Confirmation No.: 7589
Application No.09/812,136	: TC/Art Unit: 2151
Filed: March 19, 2001	: Examiner: Khan Q. Dinh
For: SYSTEM AND METHOD FOR MONITORING AND MANAGING AN ENTERPRISE NETWORK (as amended)	: Atty Docket: 013495/0015 (B69913)
	: **NEW Atty Docket: P70502US0**

<u>DECLARATION UNDER 37 CFR § 1.132</u>

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I, LAURENCE CHANG declare that:

1.   I am the president and CEO of Edge Technologies, Inc., the assignee of this application.

2.   My educational background and professional qualifications are set forth in an Attachment to this Declaration.

3.   I have read and understand the Office Action issued July 26, 2006, the references cited therein, this application, including the claims as amended in the Response to the Office Action of January 31, 2006, and the new claims as added in the Response which this Declaration accompanies.

4.   I have analyzed the rejections of claims 1, 14, and 21 in detail, and in particular, the features of the references as equated in the Office Action to the limitations recited in those claims; and have also analyzed new independent claims 22, 40, and 43 and their dependent claims relative to the features of the references as characterized in the Office Action. My analysis is set forth below in paragraphs 5 through 19.

5.   The preamble of new claim 22 reads "An enterprise network management portal system for monitoring and managing at least one enterprise network, wherein each enterprise network includes at least one server system and a plurality of network management means for monitoring the status of each server system and generating management data concerning monitored operating events of the monitored server system that are in need of correction, and wherein the management data include device status data, event data, and device performance monitoring data."

6.   In the Office Action, "enterprise network" was equated to Smith's "ordering network" (system 310 for product ordering and tracking). The "enterprise network" network of the invention and the "ordering network" in Smith are different entities; the former refers to physical infrastructure, while the latter refers to business process components. As generally understood by those of skill in the art and as used in the present application, an "enterprise network" comprises all the equipment that makes up a computer network within an enterprise. As an example, all of the networked computers, communication cables, network appliances (routers, hubs, etc) within one given company would comprise a specific "enterprise network." This definition of "enterprise network" is reflected in the language of claim 22, which states that the enterprise network includes "at least one server system and a plurality of network management means for monitoring the status of each server system and generating management

data concerning monitored operating events of the monitored server system that are in need of correction." In contrast, Smith refers to a very SPECIFIC "ordering network," which only relates to the business process of order management and tracking and is not itself an enterprise network.

7. In the Office Action, "a plurality of computer network management means" was equated to Smith's Figure 3, which shows dealers 330, financing processor 334, prospect/buyer database 336, and dealer lead information 338. In Smith, components 330, 334, 336, 338 all correspond to the INVENTORY process on a SINGLE SYSTEM. In fact, Smith's Figure 3 references components within a single computer program (Sales Processor, Financing Processor, Prospective Buyer data, etc). In contrast, in the portal system of the invention, "a plurality of computer network management means" equates to different management systems across an Internet OR Extranet. The application context is completely different from Smith in at least two ways. (1) Smith describes an inventory data management and workflow process, whereas "computer network management" refers to the monitoring and status of the enterprise network, and the server systems on that network. (2) Smith describes the internal components of the single system, whereas the portal system of the invention operates on a much broader level, managing at least one enterprise network, wherein each enterprise network includes at least one server system and a plurality of network management means for monitoring the status of each server system and generating management data concerning monitored operating events of the monitored server system that are in need of correction.

8. In the Office Action, "generating management data concerning monitored operating events of the enterprise network that are in need of correction" was equated to Smith's "providing ordering and tracking information to consumer's information, see abstract, fig. 3, col.

- 3 -

7 line 28 to col. 8 line 42)." The generation of management data in the portal system of the invention and the providing of ordering and tracking information by Smith are different both in fundamental definition and operation. "[G]enerating management data concerning monitored operating events of the enterprise network that are in need of correction" refers to management data. As described in the application, and as now set forth in claim 22, management data includes device status data, event data, and device performance monitoring data. This data is analyzed to determine what action should be taken to remedy problems on the computer network. As an example, a computer server in an enterprise network that could not communicate with another computer may produce a network operating event that indicates communication is down. Smith exclusively refers to the ordering/tracking process, which is a completely different process than generating management data. The ordering/tracking information of Smith does *not* include device status data, event data, and device performance monitoring data.

9.   New claim 22 recites the feature of "portal means for providing an interface to the plurality of network management means for: (a) receiving the management data from the plurality of computer network management means of an enterprise network and providing the management data for the plurality of network management means to a client for display to a user." This feature replaces the "management interface means" of canceled claim 1.

10.   In the Office Action, "management interface means" was equated to Smith's inventory database 322 (Figure 3). The "portal means for providing an interface ... " refers to a computer program that allows access to management data concerning server systems across the entire enterprise network. In contrast, Smith's inventory database is a SINGLE entity that contains data on the ordering/inventory process. It is a different type of entity from the "portal means" of the invention and acts in a different context area.

- 4 -

11.   In the Office Action, "receiving the management data from the plurality of computer network management means" was equated to "providing available products matching customer's specification, see col. 8 lines 24-62." These are COMPLETELY UNRELATED business processes, and it is difficult to make any comparisons. "Receiving the management data from the plurality of computer network management means" refers to the process of receiving management data across an entire enterprise network. A server system (a computer server, a router, a hub, etc) would report alert data concerning operating events (a link was down, a machine was out of disk space, etc). In contrast, Smith describes an ordering process with inventory and customer tracking.

12.   My comments in paragraphs 5 through 11 above with respect to the features of new claim 22 are also applicable to similar features recited in new claims 40 and 43.

13.   New claim 40 includes the steps of "presenting to a user via the client at least one workflow in response to the at least one detected operating event; and in response to user selection of at least one workflow, using the at least one workflow to correct the monitored operating events that are in need of correction, thereby managing the enterprise network." These steps replace the steps of "providing one or more workflows in response to the management data" and "using the workflows to provide corrective measures that correct monitored operating events that are in need of correction thereby managing the enterprise network" in canceled claim 14.

14.   In the Office Action, "providing one or more workflows in response to the management data" and "using the workflows to provide corrective measures that correct monitored operating events that are in need of correction thereby managing the enterprise network" were equated to Smith's "identifying and confirming orders by consumers, see fig. 7B,

col. 12 line 16 to col. 13 line 35)." Although both the claims and Smith use the term "workflow," they do so in different senses. In the portal system of the invention, "workflow" refers to a business process in COMPUTER NETWORK management of the health and status of computer network elements. Smith refers to a much more specific process – that of Inventory tracking – which is completely unrelated to operating events of the network.

15.   New claim 40 recites the step of "logging the user on to the identified network service with functionality in accordance with predetermined user and role segmentation rules." This step is similar to the feature of "user login means for including a map of user ID and logon password data for each computer network management means that a user is authorized to access" recited in canceled claim 21. In the Office Action, "user login means" was equated to Smith's report process 666; and "including a map of user ID and logon password data for each computer network management means that a user is authorized to access" was equated to Smith's "using Report process (666 fig. 3 [sic, Figure 7A]) for authenticating the user by verifying that the given user identifier and password are valid, see fig. 33, col. 27 line 60 to col. 28 line 46."

16.   In the portal system of the invention, User Login refers to the authentication to different web-based network management systems, and, more importantly refers to the tracking of these authentications. The portal system deals with authenticating users to multiple, external network management systems. The report process in Smith does not in any way involve multiple authentication access to disparate computer software systems (and certainly not different network management applications); on the contrary, Smith refers to authenticating the user to a specific system.

17.   New claim 25, which depends indirectly from claim 22, recites that "the portal means provides the management data in a single user-viewable display screen, regardless of

whether the plurality of computer network management means are compatible with each other." This feature replaces the feature of the portal means "presenting the management data in a predetermined format in a single browser workspace" in canceled claim 1. In the Office Action, "single browser workspace" was asserted to be disclosed by Oberdorfer "providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows (see fig. 1, 4, col. 2 lines 19-60 and col. 5 line 26 to col. 6 line 63 and col. 7 lines 26-55)." Oberdorfer references the GENERAL process of link redirection, which is a general web-browsing process. "Single browser workspace" and "single user-viewable display screen " refer to a much more SPECIFIC application – a single browser interface to the management data from multiple network management systems. Oberdorfer describes a technology of traversing the web and handling certain transactions. The "single browser workspace" and "single user-viewable display screen "refer to a specific function of an application.

18.   New claim 26, which depends from claim 25, recites "means including a map of user ID and logon password data for each computer network management means that a user is authorized to access for providing the user with single logon functionality, whereby the user does not have to logon separately to each computer network management means." This feature replaces the feature of "user login means for including a map of user ID and logon password data for each computer network management means that a user is authorized to access" recited in canceled claim 21. In the Office Action, "including a map of user ID and logon password data for each computer network management means that a user is authorized to access" was equated to Smith's "using Report process (666 fig. 3 [sic, Figure 7A]) for authenticating the user by verifying that the given user identifier and password are valid, see fig. 33, col. 27 line 60 to col. 28 line 46." Certainly both

the feature of claim 26 and Smith's using the Report process 666 involve AUTHENTICATING, but beyond that, there is no similarity. Authentication is a very general process where a user's identity is confirmed. Smith describes authenticating the user to a specific system. In contrast, the feature of claim 26 authenticates users to multiple external network management systems.

19.   New claim 41, which depends from claim 40, recites that "the management data is provided to a client in a predetermined format in a single user-viewable display screen on a real-time basis, regardless of whether the plurality of computer network management means are compatible with each other." In the Office Action, "presenting the management data in a predetermined format" was equated to Smith's "implementing customizable general purpose web pages that contain short summaries of current news, weather, financial news and serve as a starting point for many web surfers and providing available products matching customer's specification, col. 7 line 28 to col. 8 line 42 and see col. 8 lines 24-62." As explained above in paragraph 8, management data includes device status data, event data, and device performance monitoring data. Examples of management data format are alarm tables, network topology diagrams, trouble tickets, and the like, which are a completely different application area than formatted general purpose web pages.

20.   Based on my analysis as set forth above, it is my opinion that the invention as recited in new claims 22, 40, and 43 and their dependent claims is not taught or suggested by Smith in view of Oberdorfer as set forth in the Office Action.

21.   I understand that willful false statements and the like are punishable by fine or imprisonment, or both (under 18 U.S.C. § 1001) and may jeopardize the validity of the application or any patent issuing thereon.

22.　All statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

Date: _1/18/07_

Signed: _____
　　　　Laurence Chang

Laurence Chang

Address:	1950 Doe Ridge Ct.	Cell Phone:	(703) 298-3833
	Haymarket, VA 20169	Work Phone:	(703) 691-7900
Email:	larry.change@edgeti.com		

Education/Certification:

George Mason University, Graduate School of Management
M.B.A., Management & Finance, 1993

Virginia Tech, School of Engineering
B.S., Aerospace Engineering, 1990

Work Experience:

3/95 – present   **Edge Technologies, Inc. (www.edge-technologies.com)**
President & Chief Executive Officer, Fairfax, VA

Mr. Chang co-founded Edge in 1993 to capitalize on the rapidly changing trends in the communications, security and network management industries. By investing in Web technologies and applying the Internet model to product initiatives, Edge has consistently distinguished itself as a market leader and technology innovator. Mr. Chang is responsible for managing all facets of business operations, including establishing the company's strategic direction, prioritizing research and development investments, and reporting to investors.

Accomplishments:
- Mr. Chang has positioned Edge as an industry leader in an exploding IT market. His vision for emerging technologies and industry demands is centered on a fundamental philosophy of building scalable systems, providing efficient information access to consumers, and producing products that foster collaborative work environments. The adoption of the Internet as a technology and information resource is the foundation for Edge's commitment to creating Web-based tools.

- With the introduction of enPortal™, Mr. Chang continues to demonstrate Edge's ability to turn innovative ideas into reality in a fast-evolving industry. Edge's corporate customer base includes many Fortune 500 companies, government agencies, and major international organizations.

- As an industry visionary, Mr. Chang has addressed audiences at the Department of Commerce Seminar on Electronic Commerce, the Conference on International Technology Business Development, the International Trade Association of Northern Virginia, and various technology user group forums.

- Mr. Chang combines his ability to anticipate technology market trends with a unique appreciation for customers' operational mission objectives, and under his leadership Edge has developed an exemplary reputation for achieving consistent success in complex system implementation projects and in meeting tactical goals. Mr. Chang's integrity, his servant-leadership management philosophy, and his unwavering customer focus has earned him industry-wide recognition

1990 – 3/95   **GTE Government Systems**
Project Lead, Defense Switched Network Integrated Management Support System Program

Mr. Chang managed a technical team to develop innovative network management system overseeing the systems and network elements comprising the Defense Switched Network of the U.S. Government

Accomplishments:
- Successfully deployed worldwide monitoring and support system infrastructure for the Defense Information Systems Agency
- Coordinated the development and submission of the DSN WMSS proposal to DISA, resulting in $40M+ contract award
- Established project management processes and systems for software development and proposal development